

### **REMARKS**

In the Final Office Action, the Examiner rejected claims 1-8, 11-26, and 29-40. In view of the following remarks, Applicants respectfully request reconsideration and allowance of all pending claims.

#### **Rejections Under 35 U.S.C. § 102**

In the Final Office Action, the Examiner rejected claims 1-8, 11-26, and 29-40 under 35 U.S.C. § 102 (e) as being anticipated by Hickman et al. (U.S. Patent No. 7,130,888). Applicants respectfully traverse this rejection.

#### ***Legal Precedent***

Anticipation under section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). Indeed, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). The prior art reference must show the *identical* invention “*in as complete detail as contained in the ... claim*” to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

Moreover, during patent examination, the pending claims must be given an interpretation that is *reasonable* and *consistent* with the specification. *See In re Prater*, 162 U.S.P.Q. 541, 550-51 (C.C.P.A. 1969); *In re Morris*, 44 U.S.P.Q.2d 1023, 1027-28 (Fed. Cir. 1997). Indeed, the *specification* is “the primary basis for construing the claims.” *See Phillips v. AWH Corp.*, 415 F.3d 1303, 1315 (Fed. Cir. 2005) (citations omitted).

***Hickman Does Not Disclose Identifying a Portion or Logical Block of the Screen.***

Independent claims 11 and 20 recite, *inter alia*, “designating a *portion* of the screen at the controlled computer based upon the input event data and the program” (emphasis added). Independent claim 24 recites, *inter alia*, a system configured to “store *portions* of the interface screen identified by the controlled computer based upon input events occurring at the controlling computer and based upon the program” (emphasis added). Independent claim 35 recites, *inter alia*, “identifying a *logical block* of the screen display affected by the input event at the controlled computer based upon the program and the input event data” (emphasis added). Conversely, Hickman is absolutely devoid of any teaching of designating a portion of the screen (or identifying a logical block of the screen), much less designating a portion or identifying a logical block of the screen based upon an input event.

The Examiner cited several passages of Hickman as disclosing these features. *See, e.g.*, Office Action, page 2 (citing Hickman, col. 3, lines 39-43; col. 8, lines 16-28 and 57-60; col. 10, lines 44-59; col. 11, line 64 – col. 12, line 8). However, the first passage cited by the Examiner merely describes that a client computer can monitor the screen of a host computer and provide inputs to the host computer. Hickman, col. 3, lines 39-43. In the second cited passage, the reference states that a “snap shot” or dynamic reproduction of the host screen can be displayed at the client computer. Col. 8, lines 16-28. However, Hickman transmits the entire screen, and not just a portion or logical block of the display. In the third cited passage, Hickman simply states that screen updates may be sent with or without encryption. Col. 10, lines 44-59. Again, Hickman does not mention that only a portion or logical block of the screen is sent via the screen update. The last cited passage similarly describes that image information is sent from the host computer to the client computer for display at the client computer. Col. 11, line 64 – Col. 12, line 8. The reference indicates that all of the image information is sent. It does not state, expressly or implicitly, that only a portion or logical block of the image information is transmitted, as presently claimed.

In sum, this cited portions of Hickman, as well as the entire Hickman reference, do *not* disclose designating a portion of the screen based upon an input event, or identifying a logical block of the screen based upon an input event. Accordingly, the Hickman reference cannot anticipate independent claims 11, 20, 24, and 35, or their dependent claims.

***Hickman Does Not Disclose Transmitting Data Representative of Logical Block.***

Independent claims 11 and 20 recite, *inter alia*, “transmitting screen data representative of the *portion*” (emphasis added). Independent claim 35 recites, *inter alia*, “transmitting data representative of a *logical block* from the controlled computer to the controlling computer” (emphasis added). As discussed above, Hickman does not designate a portion of the screen or identify a logical block of the screen. Further, Hickman does not transmit data representative of such a portion or logical block. For this additional reason, Hickman cannot anticipate independent claims 11, 20, and 35, or their dependent claims.

***Response to Arguments***

In the Response to Arguments section of the Final Office Action, the Examiner first contended that Applicant has argued that “reduction of bandwidth” is a feature recited in the present claims not found in the Hickman. *See* Final Office Action, page 11. However, Applicants did not assert that the present claims expressly recite “reduction of bandwidth.” To the contrary, Applicants merely mentioned “reduction of bandwidth” to provide an example of why one would want to designate and transmit a portion or logical block of the computer screen, and not the entire screen. *See* Response to Office Action Mailed June 4, 2007, page 11.

The Examiner further contended incorrectly that “the broad concept of sending a ‘portion or logical block of the display’ as claimed is suggested by the prior art reference.” *See* Final Office Action, page 12. To support this contention, the Examiner asserted that “the claim language presented does not specifically define what constitutes a ‘logical block

of a screen display” (recited in independent claims 1 and 35) and that a logical block may be read differently than “portion” recited on other claims (independent claims 11, 20, and 24). *See id.* Then, the Examiner stated that no specifics are given concerning the recited “portion” “apart from its association with an input invent.” *See id.*

The Examiner apparently concluded that because Hickman discloses that “the movement of a client computer mouse . . . controlled the position of a pointer on the screen of the host computer,” that the “location” of the screen affected by the input event (movement of client mouse) is the same as the presently-recited “portion” of the screen. *See id.* The Examiner also stated “typing at the client computer” is an input event “which would cause the input of characters into a window of the host computer,” and that “the window of the host computer represents only a ‘portion’ of the screen.” *See id.* at pages 12-13.

However, again, Hickman transmits the entire screen, and not just a portion or logical block of the display. *See* Hickman, col. 8, lines 16-28 (explaining that a “snap shot” or dynamic reproduction of the host screen is displayed at the client computer). Col. 8, lines 16-28. Further, Applicants do not necessarily agree that the location of the mouse pointer or the software window, especially in the Hickman context, is a “logical block” or “portion,” as presently claimed. In any case, Hickman updates the entire screen, not just the location of a mouse pointer or just the window. *See* col. 8, lines 16-28; col. 10, lines 44-59. Again, Hickman does not mention that only a portion or logical block of the screen is sent via the screen update.

### ***Logical Block***

Lastly, Applicants would like to address the Examiner’s contention that the claim language does not specifically define what is a “logical block.” First, Applicants remind the Examiner that all details need not be expressly recited in the claims. Second, one should rely heavily on the written description for guidance as to the meaning of the

claims. *See Phillips v. AWH Corp.*, 75 U.S.P.Q.2d 1321, 1326 (Fed. Cir. 2005) (“The specification is always highly relevant to the claim construction analysis. Usually, it is dispositive.”).

As explained by the present specification, “selected *logical blocks* of a graphical user interface screen are identified and designated by a controlled computer.” *See* Specification, page 4 (emphasis added). In one example, a UNIX server resides at the controlled computer to facilitate this identification and other functionalities. *See* Specification, page 8. In certain embodiments, a screen capture of the controlled-computer display is first taken via the UNIX server prior to the input event. *See, e.g.*, Specification, pages 8-9. Next, a screen capture is taken of the controlled-computer display after occurrence of the input event. Then, typical image analysis algorithms or other techniques known in the art may be used to determine the change in screen data (i.e., the logical block) of the controlled computer, such data (e.g., coordinates, bitmaps, etc.) to transmit only that data to the controlling computer for update of the display at the controlling computer. *See, e.g., id.*, pages 8-10. The screen data may be compressed prior to its transfer.

#### ***Request Withdrawal of Rejection***

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claims 1-8, 11-26, and 29-37.

#### ***Dependent Claims 38-40***

Dependent claims 38-40 recite specific features regarding the present technique employing a UNIX-based platform or server. It should be emphasize that while Hickman cursorily mentions “UNIX computer system” in one place in a single sentence, the reference does not disclose the specific features recited in claims 38-40. In addition, Applicants believe that Hickman is not enabling prior art with regard to employment of UNIX in the current contexts. *See Elan Pharm., Inc. v. Mayo Foundation for Medical*

*and Education Research*, 346 F.3d 1051, 1054, 68 U.S.P.Q.2d 1373, 1376 (Fed. Cir. 2003) (explaining that the disclosure in an asserted anticipating reference must provide an enabling disclosure of the desired subject matter; mere naming or description of the subject matter is insufficient). For these additional reasons, claims 38-40 are not anticipated by Hickman.

### **Conclusion**

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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